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ORIGINAL



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

application of:

Rose Mary Farenden

Serial No.: 09/800,069

Filed: March 6, 2001

For: **WEB SITE FOR RECRUITING CANDIDATES FOR EMPLOYMENT**

Attorney Docket No.: 81067015 / FMC 1335 PUS

Group Art Unit: 3623

Examiner: J. Stimpak

**APPEAL BRIEF**

**Mail Stop Appeal Brief - Patents**

Commissioner for Patents

U.S. Patent & Trademark Office

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is an Appeal Brief from the final rejection of claims 1-18 of the Office Action mailed on August 12, 2005 for the above-identified patent application. The Applicant filed a Notice of Appeal on November 10, 2005 with the requisite fee.

**I. REAL PARTY IN INTEREST**

The real party in interest is Ford Motor Company, a corporation organized and existing under the laws of the state of Delaware, and having a place of business at The American Road, Dearborn, Michigan 48121, as set forth in the assignment recorded in the U.S. Patent and Trademark Office on March 6, 2001 at Reel 011617/Frame 0209.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

28  
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John S. LeRoy  
Name of Person Signing

John S. LeRoy  
Signature

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## **II. RELATED APPEALS AND INTERFERENCES**

The Applicants have concurrently filed a Notice of Appeal and Appeal Brief on a related application, System For Recruiting Candidates For Employment, application serial no. 09/800,986. The issues raised in that appeal are generally related to, but are not believed to be impacted by, the issues raised in this appeal.

## **III. STATUS OF CLAIMS**

Claims 1-18 are pending in this application. These claims have been rejected and are the subject of this appeal.

## **IV. STATUS OF AMENDMENTS**

No amendment after final rejection was filed.

## **V. SUMMARY OF CLAIMED SUBJECT MATTER**

Two independent claims are pending and stand rejected. Independent claim 1 recites a web site for recruiting candidates for employment. The website is programmed to receive a candidate's employment credentials (education, skills, experience, etc.). (Page 21 with reference to Figures 34-36.) The website then presents the candidate with employment opportunities that best match the candidate's credentials. (Page 22 with reference to Figure 38.) An interactive graphical icon enables the candidate to select employment opportunities to be retained (i.e. saved) for future reference upon a later log-in to the website. (Pages 23-24 with reference to Figure 41.) The candidate selects at least one of the presented employment opportunities for which the candidate requests consideration. (Page 23 with reference to item 457 illustrated in Figure 41.) Based on a comparison between the candidate's employment credentials and candidate matching criteria associated with the selected employment opportunity, the candidate may be presented with an invitation to an employer-hosted recruiting event. (Page 27, with reference to Figure 47.)

Independent claim 18 is similar to claim 1, but additionally recites functionality for selecting and playing music. (Page 24 with reference to Figure 41.)

## **VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

Claims 1-18 (all pending claims) stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,662,194 to Joao in view of “My Monster” from Monster.com.

## **VII. ARGUMENT**

The Examiner has rejected all pending claims (1-18) under 35 U.S.C. 103(a) as unpatentable over Joao (U.S. 6,662,194) in view of “My Monster” from Monster.com. The element of independent claims 1 and 18 that forms the basis of this appeal is as follows:

an icon that is spawned upon the candidate's selection of at least one employment opportunity for retaining the at least one employment opportunity wherein the candidate re-accesses the icon upon subsequent log-in

The Examiner relies on a May 25, 1999 article from PC Magazine that describes an aspect of the Monster.com website called “My Monster.” That article states, in relevant part “You’re My Monster page will keep track of all jobs for which you apply.”

The Applicant respectfully traverses the Examiner’s rejection because the “My Monster page” requires that a person “apply” for a job before it can be “tracked.” The claimed invention, on the other hand, only requires “selection” of an employment opportunity for that opportunity to be “retained” for future reference. This aspect of the independent claims distinguish the invention from the prior art because the prior art did not provide job seekers with an effective means of retaining employment opportunities prior to applying for them. In this fashion, users could not save employment opportunities that they were generally interested in, and re-access those employment opportunities over a period of time during which the user’s are researching and comparing employment opportunities. In contrast, the My Monster page would not retain opportunities until after they are applied for. Users could not re-access their My Monster page at a later date to review employment opportunities that the users were interested in, but had not yet applied for. This was a drawback of the My Monster page that the Applicant’s invention overcame.

The Examiner proposes combining the My Monster page with Joao:

it would have been obvious to one of ordinary skill in the art to incorporate Monster's "my monster" feature wherein a user can store information concerning job searches in a password protected area of the website. This added feature allows a user to more quickly retrieve previous job searches, resumes, etc.

(8/12/05 Office Action, p. 4, underlining added.)

But, as explained above, the My Monster page does not retain "job searches" — it only retains previous job applications. As recited in dependent claim 5 however, the claimed invention enables employment opportunities to be applied for *after* they are retained:

The site of claim 1 wherein the icon is configured to receive input requesting consideration for the at least one retained employment opportunity.

As recited in dependent claim 6, the retained employment opportunities can also be deleted, allowing users to flexibly browse, research and consider employment opportunities *before* selecting the particular employment opportunities the users want to apply for. Neither Joao nor Monster teach these aspects of the claimed invention.

Because the Examiner has not established a *prima facie* case of obviousness with regard to independent claims 1 and 18, and at least dependent claims 5 and 6, the Applicant respectfully requests that the rejection of all pending claims be vacated.

The fee of \$500 as applicable under the provisions of 37 C.F.R. § 41.20(b)(2), as well as any additional fees or credits, should be applied to Deposit Account 06-1510 (Ford Global Technologies, Inc.). A duplicate of this page is enclosed for this purpose.

Respectfully submitted,

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Enclosure - Appendices



### VIII. CLAIMS APPENDIX

1. A web site for recruiting candidates for employment, the site being programmed to:

receive input defining a candidate's employment credentials;

present at least one employment opportunity that best matches the candidate's employment credentials;

present an icon that is spawned upon the candidate's selection of the at least one employment opportunity for retaining the at least one employment opportunity wherein the candidate re-accesses the icon upon subsequent log-in;

receive input requesting consideration for the at least one employment opportunity that best matches the candidate's employment credentials; and

present the candidate with an invitation to an employer-hosted recruiting event based on a comparison between the candidate's employment credentials and candidate matching criteria associated with the at least one employment opportunity.

2. The site of claim 1 wherein the site is additionally programmed to:

present a candidate with an employment skills questionnaire; and

present the candidate with an invitation to an employer-hosted recruiting event for further evaluation based on a comparison between the candidate's response to the employment skills questionnaire and candidate matching criteria associated with at least one employment opportunity.

3. The site of claim 1 wherein the site is additionally programmed to present an invited candidate with an employment offer prior to the conclusion of the employer-hosted recruiting event.

4. (Cancelled)

5. The site of claim 1 wherein the icon is configured to receive input requesting consideration for the at least one retained employment opportunity.

6. The site of claim 1 wherein the icon is configured to receive input for selecting and deleting a retained employment opportunity.

7. The site of claim 1 wherein the icon is configured to receive input for selecting a graphical theme for the icon.

8. The site of claim 1 wherein the icon is configured to receive input for requesting a detailed description of a retained employment opportunity and present a detailed description of a retained employment opportunity in response to the input.

9. The site of claim 1 wherein the icon is configured to receive input selecting a style of music to be played and play music on response to the music selection.

10. The site of claim 1 wherein the icon is configured to forward a retained employment opportunity to another candidate.

11. The site of claim 1 additionally programmed to present a candidate with a multimedia presentation introducing a recruiter.

12. The site of claim 11 wherein the recruiter that is introduced has an educational or professional background similar to that of the candidate's.

13. The site of claim 1 additionally programmed to present a candidate with a message center for communicating with recruiting staff during the recruiting process.

14. The site of claim 13 wherein the message center presents the candidate with an offer for employment.

15. The site of claim 13 wherein the message center receives candidate scheduling information for the employer-hosted recruiting event.

16. The site of claim 13 wherein the message center presents the candidate with instructions during the recruiting process.

17. The site of claim 13 wherein the message center receives any special needs of the candidate during the recruiting process.

18. A web site for recruiting candidates for employment, the site being programmed to:

receive input defining a candidate's employment credentials;

present at least one employment opportunity that best matches the candidate's employment credentials;

present an icon that is spawned upon the candidate's selection of the at least one employment opportunity for retaining the at least one employment opportunity wherein the candidate re-accesses the icon upon subsequent log-in, the icon being configured to receive input selecting a style of music to be played and play music on response to the music selection.;

receive input requesting consideration for the at least one employment opportunity that best matches the candidate's employment credentials; and

present the candidate with an invitation to an employer-hosted recruiting event based on a comparison between the candidate's employment credentials and candidate matching criteria associated with the at least one employment opportunity.



**IX. EVIDENCE APPENDIX**

None

**X. RELATED PROCEEDINGS APPENDIX**

None